

OFFICERS AND EMPLOYEES

Chapter 2.12

OFFICERS AND EMPLOYEES

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2.12.010 Applicability.

The provisions of this chapter shall apply alike to all officers and employees of the City, regardless of the time of the creation of the office or position or the time of the appointment of the officer or employee. (Prior code § 10.101.)

2.12.020 Appointments.

All officers other than elective officers shall be recommended for appointment by the City Administrator and appointed annually by the Mayor with the advice and consent of the City Council; provided that all employees shall, in the absence of any provision to the contrary, be approved by the City Administrator.

(Ord. 2008-M-42 § 1; Ord. 2008-M-5 § 5; Prior code § 10.102.)

2.12.030 Terms of office – Vacancy filling.

Every appointive officer of the City shall hold office until the first day of May following his or her appointment, except for the following:

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- A. If the City Administrator determines that the appointive officer is not satisfactorily fulfilling the duties of the position, the City Administrator, with approval of the Mayor and City Council, may terminate the appointive officer at any time during the year of appointment.
- B. If the appointive officer demonstrates behavior that would be cause for immediate dismissal, the City Administrator, with the approval of the Mayor and City Council, may terminate the appointive officer immediately.

If an appointive officer is terminated prior to the end of his or her term, the Mayor, upon the receipt of a recommendation from the City Administrator, and advice and consent of the City Council, may appoint a new officer prior to May 1. In case of a vacancy in any such place, it shall be filled in the same manner in which appointments or selections are made, in the absence of provision to the contrary.

(Ord. 2008-M-42 § 2; Ord. 2008-M-5 § 5; Prior code § 10.103.)

2.12.031 City Administrator - Term of Office

The term of the office of the City Administrator shall not be longer than the term of the Mayor appointing him or her. The City Administrator may be removed by the Mayor whenever he or she is of the opinion that the interests of the city demand removal, provided, however, the Mayor shall report the reasons for the removal to the City Council at a meeting to be held not less than five (5) nor more than fourteen (14) days after the removal. If the Mayor fails or refuses to report to the city council the reasons for the removal, or if the city council by a two-thirds (2/3) vote of all its members authorized by law to be elected, disapproves of the removal by the Mayor, the City Administrator thereupon shall be restored to the office from which he was removed. The City Administrator may at any time be removed from office without the concurrence of the Mayor by a two-thirds majority of the aldermen authorized by law to be elected unless the City Administrator holds a statutory municipal office wherein he or she serves at the pleasure of the Mayor.

An agreement shall define and explain conditions but may not override, modify, circumvent or subvert or otherwise limit the prerogatives of the Mayor and city council as otherwise set forth in any portion of the St. Charles Municipal Code. Any appointment of an individual to the position of City Administrator is dependent upon the individual's acceptance of the terms of an employment agreement. The term of office of the City Administrator shall not be shorter than one year, unless appointed during the last year of a Mayor's term, nor longer than the term of the Mayor appointing him or her.

(Ord. 1997-M-27 § 3.)

2.12.035 Removal from office.

Deleted in its entirety.

(Ord. 2008-M-63 § 1; Ord. 2008-M-5 § 6; Ord. 1982-M-31 § 1.)

2.12.040 Filling Vacancy.

Deleted in its entirety.

(Ord. 2008-M-63 § 1; Ord. 2008-M-5 § 6; Prior code § 10.105.)

2.12.045 Appointment of Employees.

Deleted in its entirety. (Ord. 2016-M-1 § 5)

2.12.050 Bond.

Every officer or employee shall, if required by the mayor and council, upon entering upon the duties of his office, give a bond in such amount and with such sureties as may be determined by the mayor and council, conditioned upon the faithful performance of the duties of his office or position.

(Prior code § 10.109.)

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2.12.060 Salary.

All officers and employees of the city shall receive such salary as may from time to time be provided by ordinance, resolution, policy and/or collective bargaining agreement.
(Ord. 2008-M-5 § 8; Prior code § 10.106.)

2.12.070 Assignment of duties by Mayor.

The mayor shall have the power to assign to any appointive officer any duty which is not assigned by ordinance to some other specific officer, and shall determine disputes or questions relating to the respective powers or duties of officers.
(Prior code § 10.107.)

2.12.080 Moneys received.

Every officer of the city shall at least once each month turn over all money received by him in his official capability to the treasurer, with a statement showing the source from which the same was received.
(Prior code § 10.104.)

2.12.090 Records.

All records kept by any officer of the city in an official capacity shall be open to inspection by the mayor or any member of the city council at all reasonable times, whether or not such records are required to be kept by statute or ordinance.
(Ord. 1978-M-28 § 1 (part): prior code § 10.108.)

2.12.100 Conservators of peace - Authority to make arrests.

The mayor, members of the city council, Building Commissioner, as well as every member of the police department, are declared to be conservators of the peace with such powers to make arrests as are given to conservators of the peace by statute, except the Building Commissioner's authority is limited to those violations of ordinances of the city and criminal laws of the state or Illinois relating to zoning, building and plumbing is limited to those violations of ordinances of the city under Title 8, "Health and Safety" of the St. Charles Municipal Code.
(Ord. 2016-M-1§ 5; Ord. 1984-M-13 § 3: prior code § 10.110.)

2.12.110 Termination of office - Delivery of city property to successor.

Every officer and employee of the city, upon the expiration of his term for any cause whatsoever, shall deliver to his successor all books and records which may be the property of the city, and if no successor has been appointed within one week after the termination of office such property shall be delivered to the city clerk or city treasurer.
(Prior code § 10.111.)

2.12.180 Impersonation of officers prohibited.

It is unlawful for any person to impersonate without lawful authority any city officer or employee. Any person violating this section shall be fined not less than one dollar nor more than five hundred dollars for each offense.
(Prior code § 10.113.)

2.12.190 Interference with officers prohibited.

It is unlawful to interfere with or hinder any officer or employee of the city while engaged in the duties of his office or employment. Any person, firm or corporation violating any provision of this section shall be fined not less than one dollar nor more than five hundred dollars for each offense.

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(Prior code § 10.114.)

2.12.200 Inspections authorized.

- A. Any officer or employee of the city who is authorized to enforce ordinances may make such inspections as may be necessary to see to the enforcement of such ordinances.
- B. Whenever such officer or employee has reason to believe that there exists on or in any premises in the city any nuisance dangerous to public health, any fire hazard, any structural defect likely to result in injury to person or property, or any electric wiring or equipment in such condition as to present a fire hazard or danger to persons, he shall ask permission of the occupant of such premises, or the owner or custodian thereof, if the premises are unoccupied, to inspect the same.

(Ord. 1978-M-28 § 1 (part): prior code § 10.115.)

2.12.300 Special Layoff/Separation Benefit (SLSB).

Deleted in its entirety.

(Ord. 2008-M-42 § 3.)

2.12.310 Eligibility for Benefit.

Deleted in its entirety.

(Ord. 2008-M-42 § 4.)

2.12.320 Circumstances of Layoff/Separation.

Deleted in its entirety.

(Ord. 2008-M-42 § 5.)

2.12.330 Payment of SLSB.

Deleted in its entirety.

(Ord. 2008-M-42 § 6.)

2.12.340 Relationship to Other Benefits and Rights.

Deleted in its entirety.

(Ord. 2008-M-42 § 7.)

2.12.350 Enforcing officer.

Deleted in its entirety.

(Ord. 2008-M-42 § 8.)